Direct Investigation

3.1 Since 1994, The Ombudsman has been empowered to initiate direct investigation notwithstanding the absence of a complaint.

Selection of Issues

3.2 From time to time, my Office identifies issues of community interest which call for review of administrative systems and procedures or practices. These may be prompted by new or revised Government policies, topical issues or repeated complaints to me on particular matters. I attach great importance to this function because it enables me to conduct independent review of matters of moment at a macro level.

3.3 Selection of areas for direct investigation is a rigorous process undertaken by a standing panel chaired by my Deputy. Matters for direct investigation are generally :

- of community interest, aspiration or expectation;
- not for the courts or tribunals;
- not under examination or study by another agency; and
- of macro magnitude.

Aims and Objects

3.4 My direct investigations aim :

(a) to follow through systemic problems which investigation of individual complaints cannot resolve;

(b) to forestall complaints or eliminate problems; and

(c) to address fundamental problems believed or suspected to be the underlying cause for complaint.

3.5 With direct investigations, we endeavour to improve the quality of public administration and to promote accountability. This should help Government to appreciate public aspirations better and to improve services accordingly.

Investigations over the Years

3.6 Since conferment of direct investigation powers in 1994, this Office has completed 41 direct investigations leading to 540 recommendations. The full list of investigations is at **Annex 6**.

3.7 This year, my Office has completed six direct investigations. These cover a range of issues of community concern.

Fig.3.1 **Direct investigation reports published**

17 May 2002

- Education Department's Contingency and Relief Measures for the secondary school places allocation exercise 2001

13 August 2002

- Funding of sports programmes by Hong Kong Sports Development Board

4 October 2002

- Administration of vehicle registration marks auctions

29 November 2002

- Mechanism for handling missing patients in Hospital Authority hospitals

27 February 2003

- Monitoring of charitable fund-raising activities

27 March 2003

- Role of Home Affairs Department in facilitating the formation of Owners' Corporations

Fig. 3.2 Direct investigations in progress

Declared on 4 October 2002

- Operation of the Integrated Call Centre

Declared on 29 November 2002

- Enforcement of Education Ordinance on universal basic education